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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re the Application of)
SEULBERGER et al.)
BOX PCT**

International Application)
PCT/EP 98/ 03832)

Filed: July 23, 1998

For: DNA SEQUENCE ENCODING A HYDROXYPHENYL PYRUVATE DIOXYGENASE, AND ITS OVERPRODUCTION IN PLANTS

PRELIMINARY AMENDMENT

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

Prior to examination, kindly amend the above-identified application as follows:

IN THE CLAIMS

Claim 12, line 2, delete "any one of claims 2 to 5" and insert --claim 2--.

Claim 16, line 1, delete "any of claims 14 and 15" and insert --claim 14--.

Delete claim 17. ✓

22. (amended) The use of the expression cassette as claimed in claim 2 for generating plants with elevated resistance to HPPD inhibitors by means of higher expression of a DNA sequence [as claimed in claim 1] SEQ ID NO:1 and DNA sequences hybridizing therewith, encoding an HPPD.

Claim 24, lines 2 and 3, delete "any of claims 2 to 5" and insert --claim 2--.

REMARKS

The claims have been amended to eliminate multiple dependency and to put them in better form for U.S. filing. No new matter has been added.

Favorable action is solicited.

Respectfully submitted,

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